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STATE OF CALIFORNIA
WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

TO: Fountain Trailer Park Water System, System No. 1500461
Attn: Barbara Gonzales, Owner
Fountain Trailer Park
4696 Park Mirasol
Calabasas, CA 91302

CERTIFIED MAIL

**CITATION FOR VIOLATION OF CALIFORNIA CODE OF REGULATIONS,
TITLE 22, SECTION 64426.1(b)(2) - WATER SYSTEM NO. 1500461**

April 2016

C I T A T I O N N O. 03-19-16C-049

Issued on October 27, 2016

STATEMENT OF FACTS

Fountain Trailer Park Water System (hereinafter Water System) is classified as a Community water system and serves a population of approximately 68 persons through 32 service connections. The Water System has one active source of supply, Well 01 (PS Code: 1500461-001) and six (6) 119-gallon bladder tanks. No treatment is currently provided to the well water. The Water System operates under the authority of a domestic water supply permit No. 461, issued on May 3, 1971, by the Kern County Environmental Health Services Department. Effective July 1, 2014, regulatory jurisdiction of the Water System was transferred to the State Water Resources Control Board (hereinafter "State Board"), Division of Drinking Water.

1
2 Water supplied by Well 01 is in ongoing violation of the arsenic MCL of 10 ug/L, with
3 arsenic level in the range of 80 to 85 ug/L. As a long-term solution to the arsenic
4 problem, the Water System is part of a Proposition 84 funding project to consolidate
5 with the neighboring North Edwards Water District. Due to litigation, the Proposition
6 84 construction funding project is currently on hold. As an interim solution to high
7 arsenic in the well water, the State Board is providing funding for bottled water for
8 drinking and cooking, under the CAA funding program. Delivery of bottled water
9 started on January 19, 2016.

10
11 Section 116650 of the California Health and Safety Code authorizes the issuance of a
12 citation to a public water system for violation of the California Safe Drinking Water
13 Act (Health and Safety Code, Division 104, Part 12, Chapter 4, commencing with
14 Section 116270) (hereinafter "California SDWA"), or any regulation, standard, permit
15 or order issued or adopted thereunder.

16
17 The State Board, acting by and through its Division of Drinking Water and the Deputy
18 Director for the Division of Drinking Water, hereby issues a citation to Fountain
19 Trailer Park Water System (mailing address: 4696 Park Mirasol, Calabasas, CA
20 91302) for violation of California Code of Regulations (CCR), Title 22, Section
21 64426.1 subsection (b)(2).

- 22
- 23 • The Water System collects one (1) routine distribution system bacteriological
24 sample per month.
 - 25 • One (1) routine bacteriological quality sample collected on April 25, 2016,
26 from the distribution system, tested positive for total coliform bacteria.
- 27

- 1 • Three (3) repeat bacteriological quality samples collected on May 2, 2016,
2 from the distribution system, tested positive for total coliform bacteria.
- 3 • One (1) repeat bacteriological quality sample collected on May 2, 2016, from
4 Well 01 (also counted towards the Ground Water Rule's trigger source
5 sampling requirement), tested negative for total coliform bacteria.
- 6 • **Fountain Trailer Park Water System failed the total coliform maximum**
7 **contaminant level (MCL) for April 2016 [Section 64426.1(b)(2),**
8 ***Authorities*].**
- 9 • On April 26, 2016, Dollie Kostopolous, contract sampler and certified
10 distribution operator for the Water System, informed the State Board by
11 telephone, of the routine total coliform positive sample that was collected on
12 April 25, 2016.
- 13 • None of the bacteriological quality samples collected in April or May 2016
14 tested positive for *E. coli* bacteria.
- 15 • On May 13, 2016, a public notice and *Certification of Completion of Public*
16 *Notification* were emailed to the Water System for the April 2016 total
17 coliform MCL failure.
- 18 • The State Board has received signed and dated copies of the *Certification of*
19 *Completion of Public Notification* and the public notice. According to these
20 documents, public notification was completed on June 16, 2016.
- 21 • On May 13, 2016, a Level 1 Assessment Form/Investigation Report was
22 emailed to the Water System, for the April 2016 total coliform MCL failure.
- 23 •
- 24 •
- 25 •
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- 27 •

- 1 • The State Board has received a completed copy of the Level1 Assessment
- 2 Form/Investigation Report from Ms. Kostopolous. According to the
- 3 investigation report, a possible cause of the total coliform positive samples was
- 4 described as high winds and blowing dust during sampling.
- 5 • After providing emergency disinfection and flushing of the well and
- 6 distribution system, four (4) samples were collected on May 16, 2016, from the
- 7 distribution system and they all tested negative for total coliform bacteria. One
- 8 (1) sample collected on the same day from Well 01, also tested negative for
- 9 total coliform bacteria.
- 10 • All monthly routine distribution system samples collected after May 16, 2016,
- 11 have tested negative for total coliform bacteria.
- 12 • Results of all (source and distribution) bacteriological samples collected from
- 13 January 2015 to September are summarized in **Attachment A**.
- 14 • It is noted that the Water System also failed the total coliform MCL in
- 15 December 2015. The State Board may require the Water System to install
- 16 mandatory continuous chlorination treatment if the Water System were to fail
- 17 the total coliform MCL again before the end of 2015, and not able to identify
- 18 the cause of contamination.
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AUTHORITIES

24 **Section 116577 of the CHSC**, states in relevant part:

25 “(a) Each public water system shall reimburse the State Board for the actual costs incurred by the State Board for any of the following enforcement activities related to that water system:

- 26 (1) Preparing, issuing, and monitoring compliance with, an order or citation.
- 27 (2) Preparing, and issuing public notification
- ...

(b) The State Board shall submit an invoice for these enforcement costs to the public water system that requires payment prior to September 1 of the fiscal year following the fiscal year in which the costs

were incurred. The invoice shall indicate the total hours expended, the reasons for the expenditure, and the hourly cost rate of the State Board. The costs set forth in the invoice shall not exceed the total actual costs to the State Board of the enforcement activities specified in this section.”...

Section 116650 of the CHSC, states in relevant part:

“(a) If the State Board determines that a public water system is in violation of this chapter or any regulation, permit, standard, citation, or order issued or adopted thereunder, the State Board may issue a citation to the public water system. The citation shall be served upon the public water system personally or by certified mail. Service shall be deemed effective as of the date of personal service or the date of receipt of the certified mail. If a person to whom a citation is directed refuses to accept delivery of the certified mail, the date of service shall be deemed to be the date of mailing.

(b) Each citation shall be in writing and shall describe the nature of the violation or violations, including a reference to the statutory provision, standard, order, citation, permit, or regulation alleged to have been violated.

(c) A citation may specify a date for elimination or correction of the condition constituting the violation.

(d) A citation may include the assessment of a penalty as specified in subdivision (e).

(e) The State Board may assess a penalty in an amount not to exceed one thousand dollars (\$1,000) per day for each day that a violation occurred, and for each day that a violation continues to occur. A separate penalty may be assessed for each violation.”

Section 116655 of the CHSC, states in relevant part:

“(a) Whenever the State Board determines that any person has violated or is violating this chapter, or any permit, regulation, or standard issued or adopted pursuant to this chapter, the director may issue an order doing any of the following:

(1) Directing compliance forthwith.

(2) Directing compliance in accordance with a time schedule set by the State Board.

(3) Directing that appropriate preventive action be taken in the case of a threatened violation.

(b) An order issued pursuant to this section may include, but shall not be limited to, any or all of the following requirements:

(1) That the existing plant, works, or system be repaired, altered, or added to.

(2) That purification or treatment works be installed.

(3) That the source of the water supply be changed.

(4) That no additional service connection be made to the system.

(5) That the water supply, the plant, or the system be monitored.

(6) That a report on the condition and operation of the plant, works, system, or water supply be submitted to the State Board.”

California Code of Regulations (hereinafter, CCR), Title 22, Section 64423, Table 64423-A establishes the minimum routine sampling requirements, and states in relevant part:

<i>Monthly Population Served</i>	<i>Service Connections</i>	<i>Minimum Number of Samples</i>
25 to 1000	15 to 400	1 per month
1,001 to 2,500	401 to 890	2 per month
2,501 to 3,300	891 to 1,180	3 per month
3,301 to 4,100	1,181 to 1,460	4 per month
4,101 to 4,900	1,461 to 1,750	5 per month
4,901 to 5,800	1,751 to 2,100	6 per month
5,801 to 6,700	2,101 to 2,400	7 per month
6,701 to 7,600	2,401 to 2,700	2 per week
7,601 to 12,900	2,701 to 4,600	3 per week
12,901 to 17,200	4,601 to 6,100	4 per week
17,201 to 21,500	6,101 to 7,700	5 per week
21,501 to 25,000	7,701 to 8,900	6 per week

<i>Monthly Population Served</i>	<i>Service Connections</i>	<i>Minimum Number of Samples</i>
25,001 to 33,000	8,901 to 11,800	8 per week
33,001 to 41,000	11,801 to 14,600	10 per week
41,001 to 50,000	14,601 to 17,900	12 per week
50,001 to 59,000	17,901 to 21,100	15 per week

CCR, Title 22, Section 64426.1 establishes the total coliform maximum contaminant level and states in relevant part:

"(a) Results of all samples collected in a calendar month pursuant to Sections 64423, 64424, and 64425 that are not invalidated by the State Board or the laboratory shall be included in determining compliance with the total coliform MCL. Special purpose samples such as those listed in 64421(b) and samples collected by the water supplier during special investigations shall not be used to determine compliance with the total coliform MCL.

(b) A public water system is in violation of the total coliform MCL when any of the following occurs:

- (1) For a public water system which collects at least 40 samples per month, more than 5.0 percent of the samples collected during any month are total coliform-positive; or
- (2) For a public water system with collects fewer than 40 samples per month, more than one sample collected during any month is total coliform-positive; or
- (3) Any repeat sample is fecal coliform-positive or E. coli-positive; or
- (4) Any repeat sample following a fecal coliform-positive or E. coli-positive routine sample is total coliform-positive.

(c) If a public water system is not in compliance with paragraphs (b)(1) through (4), during any month in which it supplies water to the public, the water supplier shall notify the State Board by the end of the business day on which this is determined, unless the determination occurs after the State Board office is closed, in which case the supplier shall notify the State Board within 24 hours of the determination. The water supplier shall also notify the consumers served by the water system. A Tier 2 Public Notice shall be given for violations of paragraphs (b)(1) or (2), pursuant to section 64463.4. A Tier 1 Public Notice shall be given for violations of paragraphs (b)(3) or (4), pursuant to section 64463.1."

DETERMINATIONS

Based upon the above *Statement of Facts and Authorities*, the State Board has determined that the Fountain Trailer Park Water System has violated the following:

1. CCR, Title 22, Section 64426.1(b)(2); Specifically, the Water System violated the total coliform MCL for April 2016, when more than one sample (routine and repeat combined) collected in April and May 2016, tested positive for total coliform bacteria.

The above violation is classified as a non-continuing violation.

DIRECTIVES

Fountain Trailer Park Water System is hereby directed to take the following actions:

1. Cease and desist from failing to comply with Section 116555(a) of the California Health and Safety Code (CHSC) and Section 64426.1(b)(2), of Title 22, California Code of Regulations.
2. The Water System shall reimburse the State Board, in accordance with an invoice that shall be provided to the Water System, the costs for enforcement activities, and such reimbursement shall be made prior to September 1 (or by a different date if specified by the State Board) of the fiscal year following the fiscal year in which such costs are incurred as described in CHSC Sections 116577(a)(1-2) and 116577(b).

FURTHER ENFORCEMENT ACTIONS

Section 116270, Chapter 4, Part 12, Division 104 of the CHSC authorizes the State Board to: issue additional citations with assessment of penalties if a public water system continues to fail or correct a violation identified in a citation; take action to suspend or revoke a permit that has been issued to a public water system if the system has violated applicable law or regulations or has failed to comply with orders of the State Board; and petition the superior court to take various enforcement measures against a public water system that has failed to comply with orders of the State Board. The State Board does not waive any further enforcement action by issuance of this citation.

PARTIES BOUND

This citation shall apply to and be binding upon Fountain Trailer Park Water System, its officers, directors, agents, employees, contractors, successors, and assignees.

SEVERABILITY

The directives of this citation are severable, and Fountain Trailer Park Water System shall comply with each and every provision thereof, notwithstanding the effectiveness of any other provision.

CIVIL PENALTIES

Section 116650, subsections (d) and (e) of the CHSC allow for the assessment of a civil penalty for failure to comply with the requirements of the Safe Drinking Water Act. Failure to comply with any provision of this Citation may result in the State Board imposing an administrative penalty in an amount not to exceed \$1000 (one thousand dollars) per day as of the date of violation of any provision of this Citation.

Oct. 27, 2016
Date

Jaswinder S. Dhaliwal
Jaswinder S. Dhaliwal, P.E.
Senior Sanitary Engineer
Drinking Water Field Operations Branch

Certified Mail No. 7015 1520 0000 4433 2034

ATTACHMENT

Attachment A: Summary of Bacteriological Samples Collected from January 2015 – September 2016

CC: Kern County Dept. of Public Health, Env. Health Services Division (w/o attachment)
Dollie Kostopoulos, Designated Operator and Sampler (via e-mail)

JSD/dc

Attachment A

Fountain Trailer Park Water

1500461

Distribution System Freq: 1/M

<i>Sample Date</i>	<i>Time</i>	<i>Location</i>	<i>T Coli</i>	<i>E Coli</i>	<i>F Coli</i>	<i>Type</i>	<i>Cl2</i>	<i>Violation</i>	<i>Comment</i>
1/27/2015	13:54	Monthly Bact (Bac	A	A		Other			
1/27/2015	16:49	Monthly Bact	A	A		Routine			
2/11/2015	8:35	Sp #3	A	A		Routine			
3/11/2015	9:35	Sp #12	A	A		Routine			
4/15/2015	11:50	Sp #24	A	A		Routine			
5/12/2015	9:21	Sp #29	A	A		Routine			
6/10/2015	8:00	Office	A	A		Routine			
7/8/2015	9:30	Sp #3	A	A		Routine			
8/24/2015	9:00	Clay Mine Road	A	A		Routine			
9/9/2015	7:55	Clay Mine Road	A	A		Routine			
10/19/2015	8:27	Clay Mine Road, S	A	A		Routine			
11/18/2015	8:11	Clay Mine Road	A	A		Routine			
12/16/2015	8:00	Clay Mine Road	P	A		Routine			
12/17/2015	1:00	Sample Site #3	P	A		Repeat			
12/17/2015	1:10	Space #6	P	A		Repeat			
12/17/2015	1:15	Space #12	P	A		Repeat		MCL	Citation 03-19-16C-014 issued 3/22/16
1/7/2016	12:23	Space 3, 12, 28, 2	A	A		Routine			
1/13/2016	14:02	Space 3, 6, 12, 29,	A	A		Other			
2/17/2016	10:20	Sample Site #3	A	A		Routine			
3/24/2016	8:17	Sample Site #3	A	A		Routine			
4/25/2016	6:50	Sample Site #3	P	A		Routine			
5/2/2016	6:45	Sample Site #3	P	A		Routine		MCL	Cit. #03-19-16C-049 Issued.
5/2/2016	7:00	Sample Site #12	P	A		Routine			
5/2/2016	7:10	Sample Site #30	P	A		Routine			
5/16/2016		4 Samples (Space	A	A		Repeat			
6/13/2016	6:35	Clay Mine Road	A	A		Routine			
6/13/2016	6:50	Sample Site #3	A	A		Other			
7/13/2016	6:50	Sample Site #12	A	A		Routine			
8/10/2016	7:10	Sample Site #24	A	A		Routine			
9/14/2016	6:20	Sample Site #29	A	A		Routine			

Fountain Trailer Park Water

1500461

Source Monitoring Freq:

<i>Sample Date</i>	<i>Time</i>	<i>Source</i>	<i>T Coli</i>	<i>E Coli</i>	<i>F Coli</i>	<i>Violation</i>	<i>Comment</i>
12/17/2015	1:25	Well 01	A	A			
1/13/2016	14:02	Well 01	A	A			
5/2/2016	7:50	Well 01	P	A			
5/16/2016	9:15	Well 01	A	A			
